

1895-015 Chancery Causes: C. V. Young vs. Samuel H. Duff &c
Lee Co.

Freeman, Pridemore

CA - Debt
T - Property
Migration

To the Hon. H. S. K. Morison
Judge of the Circuit Court of
Lee County Virginia:

Your Orator C. V. Young
humbly, complaining would
respectfully represent; that
on the 6th, day of January
1886, one Samuel H. Duff
made & executed his certain
writing obligatory, whereby
he bound himself to pay
Your Orator one day after
the date thereof, the sum of
\$60.24 and waived the benefit
of his homestead exemption.

This bond marked "A" will be
found filed herewith as part
herof - By an inspection of
which it will be seen
that there has been paid
thereon, on Oct 11th 1886 \$33.32
and " May 26 1887. 4.32

The residue is wholly unpaid
and now due your Orator -

The said Samuel H. Duff
is now a non resident of this
Commonwealth, but has estate
and debts due him in this
County. He owns a small farm

in this County, situated on the head of Walling Creek, being a part of the old home place owned by Robert Duff in his lifetime and adjoining the land of James D. Duff & others, and is now occupied by one John T.

Freeman, who owes the said Samuel H. Duff about one hundred dollars due Jan 1 - 1888.

The object of this bill is to attach the lands of Samuel H. Duff, situated in this County whereon John T. Freeman resides and also any debt due from said Freeman, to said Duff and to have the same appropriated to the payment of your orator's debt.

To effect which your orator prays, that Samuel H. Duff and John T. Freeman be made parties defendant hereto, and answer the allegations of this bill upon oath and upon a hearing a decree be rendered, enforcing your orator's demand by

selling so much of the attack
land as will pay the same
should the John T. Freeman
debt prove unavailing. And
for all other further & general re-
lief may super issue &c.

A. L. Pickens

to 6.84 to July 1888
 3 50
 B. 5.00
 4 15.00
 Add 3.21

\$30.51

Arise &c 6.16 to July 1893

Munsey Clerk \$2.92

20 \$ paid me
 by S. H. Duff
 Oct. 2-1888, receipt
 given. Dyatt

The above paid to
 C. V. Young and
 Receipt taken.
 Dyatt

16.21
 10.05
 6.16

C. V. Young

Bill chy

Samuel H. Duff
 ebal

1887 July Bill filed. Spd
 Recd. Order Pub. & D. N.
 against home defendants
 " Aug. Order Pub. Completed
 D. N. Confirmed as to home
 defendants & cause set
 for hearing.

1888 Mr. Deere & Cantd
 " Aug & Nov "

1889 Cantd this year

1890 " "

1891 " "

1892 " "

1893 " "

1894 " "

1895 March & June Cantd

" Nov Decree final

C. V. Young
Against
Sam. A. Duff.

} In chancery

This Cause
Came on this day to be heard
upon the bill of the plaintiff and
exhibits filed, taken for confession
and was argued by counsel and
on consideration of which
and for reason appearing to
the Court it is adjudged, order-
ed and decreed, that the plaintiff
recover from the defendant
the sum of \$60.24 and legal
interest thereon from the 7th day
of Jan. 1886 till paid; subject
to a credit of \$33.32, paid
Oct 11. 1886; and \$4.32 paid
May 26 1887. And the costs of
this suit. And unless the
defendant or some one for
him pay the same within 20
days from the rising of this
Court, then ~~R. D. H. H. H.~~ B. H.

Sewell, who is hereby appointed a
special commissioner for the purpose,
will sell the land of the defend-
ant described in said bill as
situated on the head waters of Wallens.

Creek in this County, being a part of the old home place owned by Robert Duff in his life time and adjoining the lands of James D Duff and others and now occupied by one John V. Freeman. or so much thereof as will pay the same and Costs of sale, He will make sale by public outcry to the highest Bidder on some Court day in front of the Court House on a credit of six months.

But before proceeding to sell under this decree, said Commissioner will execute bond before the Clerk of this Court with good personal security in a penalty \$50⁰⁰, Conditioned according to law, He will then advertise the same at two or more public places, one of which shall be in the neighborhood where the land lies, setting out time terms and place of sale. He will require the Costs of this suit-paid in hand and for the residue take bonds payable to himself with good personal security with interest from day of sale.

Said Commissioner will report his

action to this Court at some future
term & the Cause is continued.

C. V. Young
vs { Deere.

Samuel Huffetal

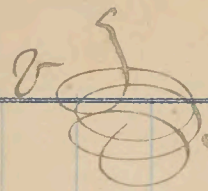
Entered Chy O.B.

13-9. J. A. Hyattce

Enter this
Sept 6 1888
R. S. M.

Virginia Lee County, to wit:
This day A. L. Pruett
personally appeared before
me the undersigned and made
oath that Samuel H. Duff is
a non-resident of this com-
monwealth, as he is informed
and believe - And further that
he is informed and believe
that said Duff is ^{justly} indebted to
C. V. Young in the sum of
\$60.24, as of Jan. 7th 1886, sub-
ject to a credit of \$33.32 paid
Oct-11th 1886, and of 4.32 paid
May 26th 1887. That said Young
has present cause of action
therefor - Given under my
hand this 23 day of June
1887. J. S. Wyatt C. C.

Le. V. Young

 Affidavit

Sam. H. Duff et al

Filed June 23rd 1887.

J. A. G. Dyatt, cc

\$60.24

one day after date I bind myself
to pay to V Gorry Sixty dollar and 24 cents
for value received and I hereby waive as
this debt the exemption from liability
of the property which I may be entitled
to hold exempt under the provisions
of the Homestead Law witness my hand
and seal this 6th day of January 1886
Samuel H. Duff Seal

Sam H Duff
to note.
\$60.24

Oct 11th 1886 Dr by port J. C. Fleming 1886
note \$33.32

May 24th 1887 Dr by check 4.32

Virginia:-

In the Clerk's Office of the Circuit
Court for Lee County June 23rd 1887.

C. V. Young

Deft

vs

In Chancery

Samuel H. Duff et al

Defts

The object of this suit is to recover
against the defendant Samuel H. Duff
\$60.24, with interest from Jan'y. 7th 1886

subject to a credit of \$33.32 paid Octo. 11th
1886, and \$4.32 paid May 26th 1887, and
to subject to the payment thereof
the land and debts in the Bill mention-

ed, which has been attached for the
purpose; and it appearing from an
affidavit filed in this cause that the

defendant Samuel H. Duff is a non-
resident of this State:- It is there-

fore ordered that he appear here
within one month after due pub-

lication of this order, and do
what may be necessary to

protect his interest in this
suit.

A Copy

Teste J. A. Hyatt cc

A. L. P. J. Q.

Le. V. Young
vs $\frac{3}{2}$ Order Pub.

J. H. Duff et al

I certify that I
delivered to Va. Her-
ald an office copy
of this order Pub
for publication
and posted a like
copy thereof on the
front door of the
Ct. on the first
day of July Term
of County Court
1882.

J. H. Duff et al

The Commonwealth of Virginia,

To the Sheriff of LEE COUNTY--Greeting:

WE COMMAND YOU to summon Daniel H. Duff

and John L. Freeman

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House
on the first Monday in July next, being Rule Day, to answer a
Bill in Chancery exhibited in our Court against them, by W. Young

W. Young

And have then and there this Writ. Witness, J. A. G. HYATT, Clerk of our said
Court, at the Court House, this 23^d day of June 1887 in
the 11 year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste:

J. A. Hyatt

(P)

C. V. Young
 33 Spain Choy
 203
 Samuel H. Duffield
 To July Rules 1887

Executed by delivering
 an office copy of
 this Deed to John
 J. Freeman and
 attaching the land
 of S. H. Duff as descri-
 bed in said order
 June 30 1887.

R. D. Flanagan S^r

The proper affidavit showing possession
 of the office serving this Deed,
 will attach the debt due from John
 J. Freeman to S. H. Duff, and the land
 of S. H. Duff lying on the head of
 Mullens Street and on which
 John J. Freeman lives and which
 the same in his hands as attached to
 await the future order of the Court.
 J. H. Duff

Jonesville Va Aug 22/87.
 I Jeff Deeff, Publisher of the
 Virginia Herald, a weekly
 newspaper, published in Jonesville
 Lee County Va do certify
 that the annexed charging
 order appeared four success-
 in weeks in said paper
 ending July 15th 1887.
 Jeff Deeff
 Pub.
 Publishers Fee of \$5.00 unpaid

Virginia: In the clerk's office of the cir-
 cuit court for Lee County, June 23 1887.

C. V. Young, Plt. }
 VS. } In Chery.
 Samuel H. Duff et al Dft.

The object of this suit is to recover
 against the defendant Samuel H. Duff
 \$60. 24, with interest from Jan'y, 7th 1886
 subject to a credit of \$33. 32 paid Oct, 11
 1886, and \$4.32 paid May, 26 1887, and
 the costs of this suit and to subject to the
 payment thereof the land debt in the Bill
 mentioned, which has been attached for
 the purpose; and it appearing from an
 affidavit filed in this cause that the de-
 fendant Samuel H. Duff is a nonresident
 of this State. It is therefore ordered that
 he appear here within one month after
 due publication of this order, and do
 what may be necessary to protect his in-
 terest in this suit. A copy Teste,

J. A. G. Hyatt C C.

A. L. Pridemore, p q.

W. V. Young
V.S. 3rd Dist
Certificate
Samuel H. Duff

mm
Order of Publication
mm

Fee \$5.00

A.L.P.